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I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (fax no. 571-273-8300) on September 28, 2006.

  
Leah Herszberg

Regarding the following Application:

Applicant(s): PATERSON, David James Examiner:

Serial No.: 10/534,888

Group Art Unit:

Filed: September 27, 2005

Title: NITRIC OXIDE SYNTHASE GENE TRANSFER TO THE ATRIUM FOR VAGAL TONE INCREASE

Attached please find:

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|--|--|
| 1. <input type="checkbox"/> RCE Transmittal Sheet  | 10. <input checked="" type="checkbox"/> Petition for Three Month Extension of Time   |
| 2. <input type="checkbox"/> Signed Declaration & Power of Attorney   | 11. <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Publication Fee  |
| 3. <input type="checkbox"/> Request for Correction of Recordation of Assign. and:<br>- Recordation Cover Sheet<br>- Copy of Notice of Recordation of Assign. | 12. <input type="checkbox"/> Submission of Formal Drawings: Two sets of<br>____ Sheets containing Figs. ____                         |
| 4. <input type="checkbox"/> Recordation of Assign. Cover Sheet & Signed Assign.  | 13. <input checked="" type="checkbox"/> Response to Office Action dated <u>March 28, 2006</u>  |
| 5. <input type="checkbox"/> Response to Notice of Incomplete Reply   | 14. <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Appeal Brief ____   |
| 6. <input type="checkbox"/> Request for Correction of Filing Receipt   | 15. <input type="checkbox"/> Claim for Convention Priority   |
| 7. <input type="checkbox"/> Information Disclosure Statement including:<br>- Form PTO 1449 and references ____   | 16. <input type="checkbox"/> Preliminary Amendment   |
| 8. <input type="checkbox"/> Response to Notice to File Missing Parts   | 17. <input type="checkbox"/> Revocation and Power of Attorney, including:<br>- Statement Under 37CFR 3.73(b)<br>- Copy of Assignment |
| 9. <input type="checkbox"/> Fee Transmittal Sheet  | 18. <input type="checkbox"/> Other:  |

Attorney Docket No.: P-7945-US

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**AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is filed in response to the Office Action dated March 28, 2006 issued by the United States Patent and Trademark Office in connection with the above-identified Application. A response to the March 28, 2006 Office Action was due June 28, 2006. Applicants are concurrently filing a Petition for a three (3)-Month Extension of Time, including the required fee. Therefore, a response is due September 28, 2006. Accordingly, this Amendment is being timely filed.

Kindly amend the above-identified application as follows: Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.